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Sen. Brown reintroduces bills to prevent unauthorized spyware installation

LANSING – State Sen. Cameron S. Brown, R-Fawn River Township, wants to make it a crime to install software that tracks Internet users' activity without their consent.

Senate Bills 53, 54 and 151 were recently introduced and if signed into law, would protect consumers from "spyware," which can monitor Web-based information and prompt pop-up advertisements.

Brown first introduced the legislation last year. The bills have been referred to the Senate Committee on Technology and Energy, where they will be taken up on Wednesday, Feb. 16.

Consumers often unknowingly agree to download spyware systems when they accept software licensing agreements while downloading software from the Internet. Deceptively installed spyware can hurt the performance and stability of computer systems and may even cause computers to crash.

"When someone logs on to a personal computer, there is a reasonable assumption their transactions will be made safely and privately, but this is often not the case," Brown said.

"There is a loss of privacy, an absence of respect for users' ability to have control over their own computers and Internet connections," Brown continued. "My bills will make sure that users knowingly agree to the conditions under which Spyware operates before it can be installed on their computers."

In addition to Brown, Knute Judsen, principal of ZCSS.com and a resident of Three Rivers, will also be testifying at the hearing.

"Because of the lack of legal definition regarding spyware/malware, advertisers have been taking advantage of internet users and crossing the line," Judsen said. "Some instances are minor, others are very severe, but they are all violations of personal privacy and

unacceptable. We estimate that 90 percent of broadband internet users are infected and most are oblivious while their equipment, connection, and software are being hijacked.”

Violators would be subject to either a misdemeanor or felony charge, depending on the severity of the violation, punishable by a fine of \$1,000 to \$10,000 or imprisonment for 93 days to four years.

Federal law makers are currently advancing similar legislation in the US Congress.

The Senate Committee on Technology and Energy hearing is scheduled for Wednesday, Feb. 16 at 3 p.m. in room 210 of the Farnum Building.

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